

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER N-11-090A

Relating to ARB Approval for an Exemption from Third Party Certification for
Composite Wood Product Manufacturers that use
Ultra-low-emitting Formaldehyde Resins under
section 93120.3, title 17, California Code of Regulations

CraftMaster Manufacturing, Inc., Line 1 (CMI-L1)

WHEREAS, the Air Resources Board (ARB) has adopted the "Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products" (the "ATCM"; title 17, California Code of Regulations, sections 93120-93120.12), which establishes formaldehyde emission standards for composite wood products;

WHEREAS, section 93120.1(a)(42) of the ATCM defines "ultra-low-emitting formaldehyde (ULEF) resins" to mean "resins formulated such that average formaldehyde emissions are consistently below the Phase 2 emission standards in section 93120.2," for making hardwood plywood, particleboard, or medium density fiberboard;

WHEREAS, section 93120.3(d) of the ATCM allows manufacturers of hardwood plywood, particleboard, and medium density fiberboard who use ULEF resins to apply for written approval from the Executive Officer for an exemption from the requirements of section 93120.3(b) of the ATCM;

WHEREAS, section 93120.3(d) of the ATCM allows manufacturers of hardwood plywood, particleboard, and medium density fiberboard who use ULEF resins to submit an application for an exemption from the requirements of section 93120.3(b) of the ATCM to the Executive Officer, which includes: (A) a statement indicating which product types will be manufactured using ULEF resins for sale in California; (B) the chemical formulation of the candidate ULEF resin(s), including base resins, scavenger resins, scavenger additives, catalysts, and other additives as used in manufacturing; (C) the name of their ARB approved third party certifier; and (D) data on the emissions performance of the candidate ULEF resin(s);

WHEREAS, the data on emissions performance of the candidate ULEF resin required in section 93120.3(d) of the ATCM must be obtained by working with an ARB approved third party certifier, and must include six months of routine quality control testing data, the correlation of the routine quality control testing data to primary or secondary testing data, and the results of two primary or secondary method tests, as required in Appendix 2 of section 93120.12 of the ATCM;

WHEREAS, section 93120.3(d)(2) of the ATCM requires that ninety percent of the six months of routine quality control testing data and the results of two primary or secondary method tests must be shown to be no higher than 0.04 ppm, and that all data must be shown to be no higher than 0.05 ppm for hardwood plywood and 0.06 ppm for particleboard, medium density fiberboard, and thin medium density fiberboard;

WHEREAS, section 93120.3(d)(5) of the ATCM provides that the Executive Officer shall approve the application and issue an Executive Order if the evidence submitted by the applicant is sufficient to demonstrate that the applicant has met the requirements specified in sections 93120.3(d)(1) and 93120.3(d)(2) of the ATCM;

WHEREAS, CraftMaster Manufacturing, Inc., Line 1 (CMI-L1 or the "applicant") submitted an application that we received on November 19, 2010;

WHEREAS, ARB was provided base resin/adhesive information specifying the base resin polymer type and minimum and maximum values of all major and any minor ingredients in the base resin on a percent weight of solids basis;

WHEREAS, the base resin/adhesive information was provided to ARB by ARC Resins Corporation and Georgia-Pacific Chemicals, CMI-L1's resin suppliers, and is set forth in Confidential Attachments A and B;

WHEREAS, the application from CMI-L1 was deemed complete on January 19, 2011;

WHEREAS, CMI-L1 was issued Executive Order N-11-090 signed on February 15, 2011, listing two base resin systems in Confidential Attachment A;

WHEREAS, CMI-L1 submitted a request and supplementary documentation to ARB on May 5, 2011, for approval to add a third base resin system to Confidential Attachment A;

WHEREAS, the application and request submitted by CMI-L1 demonstrates that the third base resin system is the same type of base resin system as listed in Confidential Attachment A for Executive Order N-11-090;

WHEREAS, the base resin information for the third base resin system was provided to ARB by ARC Resins Corporation on June 7, 2011, the supplier of the third resin system to be used by CMI-L1, and is set forth in Confidential Attachments A and B;

WHEREAS, CMI-L1 conducted confirmatory testing for the third resin system supplied by ARC Resins Corporation and provided the result of one secondary method test and two months of quality control data on ULEF products made with the third resin system that are no greater than 0.04 ppm;

WHEREAS, CMI-L1 provided the required testing data to add a third resin system and because ARC Resins Corporation provided the required formulation data for the third resin system, it is appropriate that Executive Order N-11-090 be superseded by this Executive Order N-11-090A;

WHEREAS, the application from CMI-L1 specifies the range in product manufacturing parameters, applicable post-press product treatments, base resin trade name(s) and base resin manufacturer(s)/supplier(s), and other ingredients added to the base resin by the applicant to manufacture ULEF thin medium density fiberboard products;

WHEREAS, section 93120.3(d)(5) of the ATCM provides that the Executive Officer shall approve the application and issue an Executive Order if the evidence submitted by the applicant is sufficient to demonstrate that the applicant has met the requirements specified in section 93120.3(d)(1) of the ATCM; and

WHEREAS, the Executive Officer finds that the evidence submitted by the applicant meets the criteria specified in sections 93120.3(d)(1), 93120.3(d)(2) and 93120.3(d)(5) of the ATCM.

NOW, THEREFORE, IT IS ORDERED that CMI-L1 is hereby approved as a ULEF manufacturer of thin medium density fiberboard that is exempt from the requirements of section 93120.3(b) and Appendix 2 of section 93120.12 of the ATCM, provided that the following terms and conditions are met for products sold, supplied, offered for sale, or manufactured for sale in California;

1. CMI-L1 must use the commercial resins listed and suppliers listed in section A of Confidential Attachment A of this Executive Order for the manufacture of thin medium density fiberboard products.
2. The chemical formulation of the base resins used for the manufacture of ULEF composite wood products by CMI-L1 must be within the ranges specified in section B of Confidential Attachment A of this Executive Order.
3. As specified in section B of Confidential Attachment A, CMI-L1 is legally responsible for insuring that the base resin is within the ranges specified in section B.

4. The application rate of the base resins used for the manufacture of ULEF composite wood products by CMI-L1 must be within the ranges specified in section C of Confidential Attachment A of this Executive Order.
5. Other chemical components of the base resins (such as sizing wax and release wax) used for the manufacture of thin medium density fiberboard products by CMI-L1 must be within the ranges specified in section D of Confidential Attachment A of this Executive Order.
6. The allowable operating parameters for press temperature and press time for the base resins used to manufacture the ULEF-exempt thin medium density fiberboard products by CMI-L1 must be within the ranges specified in section E of Confidential Attachment A of this Executive Order.
7. Only the composite wood products with the product names listed in section F of Confidential Attachment A of this Executive Order are authorized under this Executive Order.

BE IT FURTHER ORDERED that CMI-L1 may change the resin system suppliers listed in section A of Confidential Attachment A of this Executive Order if the new resin supplier supplies the same resin type listed in Confidential Attachment A of this Executive Order, at least two primary or secondary method tests are performed on random samples selected by their ARB-approved third party certifier, and the Chief of the Air Quality Measures Branch of the Stationary Source Division is notified before CMI-L1 uses the resin for production;

BE IT FURTHER ORDERED that CMI-L1 must conduct confirmatory testing for a new resin supplier by demonstrating that the results of two primary or secondary method tests for the new resin system supplier are no higher than 0.04 ppm for the ULEF products authorized under this Executive Order;

BE IT FURTHER ORDERED that this Executive Order shall have a duration of two years from the date this Executive Order is signed; the applicant may apply for re-approval as provided in section 93120.3(d)(5) of the ATCM.

BE IT FURTHER ORDERED that the applicant must maintain records in electronic or hard copy form for two years, for review by ARB upon request, as specified in section 93120.3(g) of the ATCM.

BE IT FURTHER ORDERED that the applicant must notify the Executive Officer in writing within 30 days if there is any change in their product manufacturing parameters or base resin manufacturer(s) or supplier(s) that does not comply with any of the requirements, terms or conditions specified in the ATCM or this Executive Order.

Executed at Sacramento, California this 12 day of July, 2011.

A handwritten signature in black ink, reading "Daniel E. Donohoue", with a long horizontal flourish extending to the right.

Daniel E. Donohoue, Chief
Emissions Assessment Branch
Stationary Source Division